

# EXHIBIT 4

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**In re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation**

**This Document Relates To:**

**City of Fresno, et al.,**

**Plaintiffs,**

**v.**

**Chevron U.S.A. Inc.**

**Defendants**  
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**MDL No. 1358**

**PLAINTIFF'S FIRST SET OF  
INTERROGATORIES TO  
DEFENDANT  
RE PRODUCT IDENTIFICATION**

**POUNDING PARTY:**

**PLAINTIFF CITY OF FRESNO**

**RESPONDING PARTY:**

**SHELL OIL COMPANY**

**SET:**

**ONE**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and in accordance with the directive of the Court at the May 11, 2004 status conference, Plaintiffs hereby submits the following First Set of Interrogatories, to be answered separately, in writing, and under oath, by each responding defendant listed on Exhibit A (attached hereto) on or before July 9, 2004. As directed by the Court at the May 11, 2004 status conference, each responding defendant's answers to these Interrogatories should include a description of the specific steps undertaken by the defendant to obtain the information contained in such answers. This First Set of Interrogatories is served without prejudice to Plaintiff's right to seek additional discovery.

DEFINITIONS

- A. All definitions contained in Local Rule 26.3 of the United States District Court for the Southern District of New York are incorporated herein by reference.
- B. MTBE means methyl tertiary butyl ether.
- C. MTBE Product means any petroleum product containing MTBE. With respect to gasoline containing MTBE, MTBE Product includes any and all of the following: conventional gasoline containing MTBE, winter oxygenate fuel containing MTBE, and/or reformulated gasoline containing MTBE; provided, however, that if any responding defendant claims that it is unable to determine whether any conventional gasoline contained MTBE for purposes of answering these Interrogatories, MTBE Product shall include any and all conventional gasoline.
- D. Refinery means a facility used to process crude oil, unfinished oils, natural gas liquids, or other hydrocarbons into any petroleum product.
- E. Terminal means a petroleum product storage and distribution facility that is supplied by pipeline, vessel or other means, and from which such petroleum products may be removed at a rack and/or distributed by pipeline, and includes bulk storage and distribution facilities located at Refineries.
- F. Terminalling Partner means an entity that leased petroleum product storage or otherwise had the right to store petroleum products in the product storage tanks at a Terminal not owned, operated, or controlled by that entity.
- G. You means the responding defendant, its subsidiaries and affiliates.
- H. Your means of or pertaining to the responding defendant, its subsidiaries and affiliates.

INTERROGATORIES

1. Please identify the name and address of each entity (including You, if applicable) that supplied You with MTBE Products for ultimate delivery into Kern County at any time since the date of first MTBE use in Kern County, the dates or date ranges when each such entity supplied You with MTBE Products, and the name and address of each Refinery from which such MTBE Products were supplied.

2. Please identify the name and address of each entity from which You obtained neat MTBE for use at any Refinery owned or operated by You that supplied gasoline for ultimate delivery into Kern County, the dates or date ranges when MTBE was acquired from each such supplier, and the name and address of Your Refinery(ies).

3. Please identify each Terminal You use or used to supply gasoline for ultimate delivery into Kern County at any time since the date of first MTBE use in Kern County and the dates or date ranges when You have used such Terminal. For each Terminal You use or used, please also state whether You owned or operated such Terminal or were a Terminalling Partner at such Terminal.

Dated: Sacramento, California  
August 4, 2004

MILLER, AXLINE & SAWYER

By: \_\_\_\_\_

DUANE C. MILLER, SBN 57812  
MILLER, AXLINE & SAWYER  
Attorneys for Plaintiffs  
1050 Fulton Avenue, Suite 100  
Sacramento, CA 95825  
Phone: (916) 488-6688

PROOF OF SERVICE VIA E-MAIL AND US MAIL

I, Christina Hise, hereby declare under penalty of perjury of the law that a true copy of the following:

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT RE

PRODUCTION IDENTIFICATION

[SHELL OIL COMPANY]

as served via e-mail, pursuant to Judge Shira A. Schiendlin's Case Management Order dated April 1, 2004 [Section IV], upon:

eter Sacripanti, Esq.  
cDermott Will & Emery LLP  
[sacripanti@mwe.com](mailto:sacripanti@mwe.com)

Defense Liaison Counsel.

tan Alpert, Esq.  
[alpertaweitzlux.com](mailto:alpertaweitzlux.com)

Plaintiffs' Liaison Counsel.

on the 4<sup>th</sup> day of August, 2004, and on the following persons or parties by placing a true copy hereof in a sealed envelope, showing the addresses set forth below, for collection and deposit in the United States Postal Service on that date following ordinary business practices:

See Attached List

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on August 4, 2004, at Sacramento, California.

  
CHRISTINA HISE

ohn J. Wasilczyk, Esq.  
llison N. Shue, Esq.  
avid L. Schrader  
ichael T. Zarro, Esq.  
organ Lewis & Bockius  
00 South Grand Avenue, 22<sup>nd</sup> Floor  
os Angeles, CA 90071-3132

Counsel for Chevron USA, Inc.; Texaco,  
Inc.; ChevronTexaco Corporation; Chevron  
Environmental Services Company

ojoon Hwang, Esq.  
arin S. Schwartz, Esq.  
unger, Tolles & Olson  
3 New Montgomery Street, 19<sup>th</sup> Floor  
an Francisco, CA 94105-9781

Counsel for Shell Oil Company; Texaco  
Refining & Marketing, Inc.; Equilon  
Enterprises LLC

illiam D. Temko, Esq.  
uger, Tolles & Olson  
55 Grand Avenue, 35<sup>th</sup> Floor  
os Angeles, CA 90071-1560

Counsel for Shell Oil Company, Equilon  
Enterprises LC, Equiva Services LLC, and  
Texaco Refining & Marketing, Inc.

olleen P. Doyle, Esq.  
Tana Pfeffer Martin, Esq.  
atherine M. Stites, Esq.  
ingham McCutchen LLP  
55 South Grand Avenue, Suite 4400  
os Angeles, CA 90071-1560

Counsel for Exxon Corporation; Exxon  
Mobil Corporation

on D. Anderson, Esq.  
ichele Johnson, Esq.  
atham & Watkins  
50 Town Center Drive, Suite 2000  
osta Mesa, CA 92626

Counsel for Tosco Corporation;  
ConocoPhillips Corporation

rendan M. Dixon  
nocal Corporation  
76 S. Valencia Avenue  
rea, CA 90245

Counsel for Unocal Corporation; Unocal Oil  
Company of California

rian M. Ledger  
udy R. Perrino  
ordon & Rees LLP  
101 West Broadway, Suite 1600  
an Diego, CA 92101-3541

Counsel for Kern Oil & Refining Company

. Clifford Gunter, III, Esq.  
racie J. Renfroe, Esq.  
RACEWELL & PATTERSON, LLP  
11 Louisiana Street, Suite 2900  
ouston, TX 77002

Counsel for Valero Refining Company-  
California; Ultramar, Inc.

I arc M. Seltzer, Esq.  
avid C. Marcus, Esq.  
usman Godfrey LLP  
1901 Avenue of the Stars, Ste. 950  
os Angeles, CA 90067

Counsel Arco Chemical Company; Lyondell  
Chemical Company

• Ian J. Hoffman, Esq.  
 Frank Rome Comisky & Mccauley, LLP  
 One Logan Square  
 18<sup>th</sup> and Cherry Street  
 Philadelphia, PA 19103-6998

Counsel for Arco Chemical Company;  
 Lyondell Chemical Company

Matthew T. Heartney, Esq.  
 Lawrence Allen Cox, Esq.  
 Stephanie Michele Bonnett  
 Mold & Porter  
 77 South Figueroa Street, 44<sup>th</sup> Floor  
 Los Angeles, CA 90017-5844

Counsel for Atlantic Richfield Company

Pencer T. Malysiak, Esq.  
 Pencer T. Malysiak Law Corporation  
 1180 Iron Point Road, Ste. 145B  
 Colson, CA 95630

Counsel for New West Petroleum; New  
 West Petroleum LLC

Robert P. Doty, Esq.  
 Cox, Castle & Nicholson LLP  
 55 Montgomery Street, Fifteenth Floor  
 San Francisco, CA 94111-2585

Counsel for Duke Energy Merchants LLC;  
 Duke Energy Trading and Marketing LLC;  
 Duke Energy Merchants California, Inc.;  
 Northridge Petroleum Marketing U.S., Inc.

Licia Vaz  
 Cox, Castle & Nicholson LLP  
 1049 Century Park East  
 Los Angeles, CA 90067

Counsel for Duke Energy Merchants LLC;  
 Duke Energy Trading and Marketing LLC;  
 Duke Energy Merchants California, Inc.;  
 Northridge Petroleum Marketing U.S., Inc.

Jeffrey L. Fillerup, Esq.  
 Bruce, Forward, Hamilton & Scripps, LLP  
 121 Spear Street, Suite 200  
 San Francisco, CA 94105-1582

Counsel for Pacific Southwest Trading

Peter M. Hart  
 Wright, Robinson, Ostheimer & Tatum  
 4 Montgomery Street, 18<sup>th</sup> Floor  
 San Francisco, CA 94104-4705

Counsel for Nella Oil Company LLC

Quiva Services LLC  
 c/o Vivian Imperial  
 .T. Corporation  
 18 W. Seventh Street  
 Los Angeles, CA 90017

Westport Petroleum, Inc  
 c/o Vivian Imperial  
 .T. Corporation  
 18 W. Seventh Street  
 Los Angeles, CA 90017.